

JAN 28 2009

**FAX TRANSMISSION****DATE:** January 28, 2009**PTO IDENTIFIER:** Application Number 10/561,144-Conf. #9423

Patent Number

**Inventor:** Ichirou Shimomura et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** EDWARDS ANGELL PALMER & DODGE LLP

Gregory B. Butler, Ph.D., Esq.

**PHONE:** (617) 517-5595**Attorney Dkt. #:** 64656(46590)**PAGES (Including Cover Sheet):** 21

**CONTENTS:** Certificate of Transmission (1 page)  
Transmittal (1 page)  
Three Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)  
Notice of Appeal (1 page)  
Amendment After Final Action Under 37 C.F.R. 1.116 (16 pages)  
Charge \$1,650.00 to deposit account 04-1105

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 517-5595 and send the original transmission to us by return mail at the address below.

**This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.**

**EDWARDS ANGELL PALMER & DODGE LLP**  
P.O. Box 55874, Boston, Massachusetts 02205  
Telephone: (617) 239-0100 Facsimile: (617) 227-4420

JAN 28 2009

PTO/SB/97 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/561,144

Attorney Docket No.: 64858(46590)

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on January 28, 2009  
Date



Signature

Lynn Marcus

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 239-0100  
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal (1 page)

Three Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

Notice of Appeal (1 page)

Amendment After Final Action Under 37 C.F.R. 1.116 (16 pages)

Charge \$1,650.00 to deposit account 04-1105

JAN 28 2009

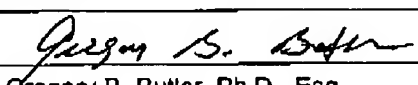
PTO/SB/21 (12-08)

Approved for use through 01/31/2009. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/561,144-Conf. #9423
	Filing Date	October 17, 2008
	First Named Inventor	Iichirou Shimomura
	Art Unit	1656
	Examiner Name	J. W. Lee
Total Number of Pages in This Submission	Attorney Docket Number	64656(46590)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply  <input checked="" type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Notice of Appeal
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	EDWARDS ANGELL PALMER & DODGE LLP	
Signature		
Printed name	Gregory B. Butler, Ph.D., Esq.	
Date	January 28, 2009	Reg. No. 34,558

BOS2 717918.1